

**UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

---

No. 00-30687

---

REPUBLIC OF PANAMA,

Plaintiff - Appellee,

versus

THE AMERICAN TOBACCO COMPANY, INC., ET AL.,

Defendants,

FORTUNE BRANDS, INC., formerly known as  
American Brands, Inc.; R. J. REYNOLDS TOBACCO CO.;  
BROWN & WILLIAMSON TOBACCO CORP., individually  
and as successor by merger to The American Tobacco Company;  
BATUS, INC.; BATUS HOLDINGS, INC.; PHILIP MORRIS, INC.;  
PHILIP MORRIS COMPANIES, INC.; LORILLARD TOBACCO CO.;  
LIGGETT GROUP, INC.; THE TOBACCO INSTITUTE, INC.;  
QUAGLINO TOBACCO AND CANDY COMPANY, INC.;  
J & R VENDING SERVICES, INC.,

Defendants - Appellants.

---

SAO PAULO STATE,  
of the Federative Republic of Brazil,

Plaintiff - Appellee,

versus

THE AMERICAN TOBACCO COMPANY, ET AL.,

Defendants,

FORTUNE BRANDS, INC., formerly known as  
American Brands, Inc.; R. J. REYNOLDS TOBACCO CO.;

BROWN & WILLIAMSON TOBACCO CORP., individually  
and as successor by merger to The American Tobacco Company;  
BATUS, INC.; BATUS HOLDINGS, INC.; PHILIP MORRIS, INC.;  
PHILIP MORRIS COMPANIES, INC.; LORILLARD TOBACCO CO.;  
LIGGETT GROUP, INC.; THE TOBACCO INSTITUTE, INC.;  
QUAGLINO TOBACCO AND CANDY COMPANY, INC.;  
J & R VENDING SERVICES, INC.,

Defendants - Appellants.

---

Appeals from the United States District Court  
for the Eastern District of Louisiana

---

September 18, 2002

ON REMAND FROM THE SUPREME COURT

OF THE UNITED STATES

Before EMILIO M. GARZA, STEWART, and PARKER, Circuit Judges.

PER CURIAM:

On April 1, 2002 the Supreme Court of the United States granted certiorari in this matter, and simultaneously filed an opinion reversing the judgment of this court and remanded for further proceedings not inconsistent with its opinion. See *Sao Paulo, State of the Federative Republic of Brazil v. American Tobacco Co.*, 535 U.S. \_\_\_, 122 S. Ct. 1290 (2002). In accordance with that opinion, in which the Supreme Court concluded that a reasonable person apprised of the facts would not believe that the district judge had any interest or bias, *id.* at \_\_\_, 122 S. Ct. at 1292, the district court's order denying recusal is AFFIRMED.